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Thursday, November 18, 2010

Marlene H. Dortch
Secretary
Federal Communications Commission
445 12th Street SW
Washington, DC 20554

RE: Notice of *Ex Parte* Presentation in MB 10-56

Dear Ms. Dortch:

On Tuesday, November 16, 2010 a leadership team of the Writers Guild of America, West (WGAW) consisting of members, staff, and counsel of the Guild, met with Josh Cinelli, Media Advisor to Commissioner Copps, to discuss the potential adverse effects of the NBCU-Comcast merger. The Guild opposes the merger on grounds that past media consolidation have stifled independent production and, thus, employment opportunities for writers in the television and film industry. The Guild argued that the followed conditions be imposed on the merger should the commission approve the merger:

- *Program Source Diversity Requirement:* Require Comcast–NBCU networks to devote not less than 25% of the primetime schedule to programming that is owned and produced by independent producers. Independent producers should be defined as studios or production companies that are not owned or affiliated with a major broadcast or cable network or an MVPD provider. The requirement should apply to each programming category, including scripted programming.
- *Internet Access to Content Requirement:* Preserve Internet availability of NBC video content on non-Comcast–NBC websites at fair and reasonable rates, terms and conditions.
- *Channel Positioning Requirement:* Restrict Comcast from bumping unaffiliated cable networks out of its basic cable tier to make room for affiliated networks.
- *Fair Market Valuation Requirement:* Require distribution of content produced by related entities be subject to an arm's length transaction standard
- *Nondiscrimination:* Require that Comcast remain neutral in the distribution of Internet content over its network.

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Sincerely,

Michael Forscey
Counsel to WGAW

Cc: Josh Cinelli